A4298

BAY AREA
AIR POLLUTION CONTROL DISTRICT
939 Ellis Street
San Francisco, California 94109
771-6000

ADVISORY COUNCIL
SUBCOMMITTEE ON REGULATIONS CONSISTENCY

Monday
November 7, 1977
9:00 A.M.

939 Ellis Street
San Francisco
California 94109

M I N U T E S

COMMITTEE MEMBERS PRESENT:	William B. McCormick, Chairperson; Shirley J. Campbell, Michael V. Dyett, Jack C. Oppenheimer, Walter Tone.
COMMITTEE MEMBERS ABSENT:	None.
STAFF MEMBERS PRESENT:	Thomas F. Bell, Edward W. McHugh, Silvia Escamilla.

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Chairperson McCormick called the meeting to order at 9:10 A.M.

APPROVAL OF MINUTES OF SEPTEMBER 20, 1977 AND SEPTEMBER 26, 1977

Mr. Dyett moved the minutes of September 20 and September 26, 1977 be approved; seconded by Mrs. Campbell; carried.

DISCUSSION OF FORM OF SECTIONS

Chairperson McCormick in comments stated that as he had pointed out on his Memo to Consistency Committee and to Others Whom It May Concern, dated June 21, 1977, he felt that in order to keep the format of the regulations consistent; that every section should have a heading with a key word or words describing that section; it was his recommendation that the six main headings in the regulations be in uppercase letters; and that the description of each subsection be in a capital lowercase letter folbwed by a colon.

Mr. Oppenheimer moved approval of Chairperson McCormick's recommendation; seconded by Mr. Dyett; carried.

Chairperson McCormick stated that the regulations as they are presently written are not consistent; he suggested the Committee go through each

regulation and incorporate the headings as recommended, he stated that after these headings have been incorporated the form of the regulations will be clear.

Mr. Toney suggested that Staff prepare and submit to the Committee in writting the suggested recommendations the Committee has made, he stated that it would be easier for the Committee to see in writting how the regulations will look after the changes have been made.

Mr. McHugh in comments stated that the numbering system has not presented a problem, he indicated that in Regulation 7 the 500 series are different; that Regulation 5, Organics has different regulations; that he used the 500 series where it applied; that where it did not apply he referred to Regulation 1, in comments he stated that he prefers to use the words, "Not Applicable" if a series does not apply rather than having to refer to Regulation 1. After further discussion, Mr. McCormick stated that the Committee had discussed this matter at its previous meeting, and that it had been agreed that references to Regulation 1 be made only where there were instances where Regulation 1 applies; it was pointed out that even though Regulation 1 applies to all Regulations; that it should be tried to avoid referring to Regulation 1 as much as possible.

After discussion, it was pointed out that the Committee at a previous meeting had arrived at the conclusion of having an Users Guide, there was discussion as to the format of the Users Guide. Mr. Oppenheimer suggested that the Users Guide should describe the purpose of each regulation; the numbering system and the fact that the User may be subject to other rules and regulations. It was agreed that this Users Guide be made part of each regulation and either be handed out separately or be bound in the regulations.

There was discussion as to having a one page index printed in each regulation specifying that section numbers are essentially the same for all regulations. It was agreed that if a section did not apply to a regulation that section would be indexed with the words "Not Included". Mr. Oppenheimer stated that the user should be made aware that he would have to refer not only to the regulation but to the Users Guide and the Index to be in compliance with the District's regulation.

It was requested that the Staff prepare a draft of the Users Guide and Index and present to the Committee at its next meeting.

CONTINUED DISCUSSION OF FORMAT FOR REGULATIONS
STARTING WITH REGULATION 7, RULE 9

The Committee reviewed Regulation 7, Rule 1. The following changes were made: As the Committee agreed all main headings to be in uppercase letters and the description of each subsection to be in a capital lowercase letters.

Rule 1 to read: NEW PLANT PERFORMANCE STANDARDS.

§7-1-100 to read: GENERAL PROVISIONS.

§7-1-403 to read: Notice of test: The person responsible . . . .

§7-1-501 to read: Records:

§7-1-502 to read: Performance Test: The following tests and conditions shall be met:

Deleted the numbers 502.1, 502.2 and 502.3 before each section.

§7-1-601 added heading as: Performance Tests

Rule 2, Fossil-Fuel-Fired Steam Generators.

§7-2-301 to read: Particulate Matter: A person shall not discharge any gases into the atmosphere which contain particulate matter. . . . .

§7-2-401 Reports of Excess Emissions:

401.1 Opacity:

401.2 Sulfur Dioxide:

401.3 Nitrogen Oxides:

§7-2-501 added heading as: Monitoring Instruments:

§7-2-601 added heading as: Sulfur Content:

The Committee reviewed Regulation 5, it was agreed that Regulation 5 would be changed to follow the format of Regulation 3. The following changes were made:

§5-1.1-110 to read: Exemptions: The following shall be exempt from the provisions of this rule:

§5-1.1-111 renumbered to: 110.1.

§5-1.1-112 renumbered to: 110.2.

§5-1.1-113 renumbered to: 110.3.

§5-1.1-114 renumbered to: 110.4.

§5-1.1-115 renumbered to: 110.5

115.1 renumbered to: 105.1

115.2 renumbered to: 105.2

Rule 1.2 - Organics, Architectural Coatings.

§5-1.2-110 to read: General Exemptions:

§5-1.2-111 added heading: Limited exemptions: Section 114.4 incorporated in this section.

112.1 renumbered to 111.1
112.2 renumbered to 111.2
112.3 renumbered to 111.3

§5-1.2-301 added heading: Coating manufactured after January 1, 1979:

§5-1.2-302 added heading: Coating manufactured after January 1, 1982:

§5-1.2-303 deleted and incorporated in §5-1.2-301.

§5-1.2-401 added heading: Container labeling:

§5-1.2-402 added heading: Small business exemption:

Rule 1.3 Organics, Solvent and Surface Coating Operations:

§5-1.3-110 to read: Exemptions: Rule 5-1.3 does not apply to emissions from the use of any surface coating if:

110.1 The volatile content of said coating consists only of water and organic solvents;

110.2 The organic solvents comprise not more than 20% by volume of said volatile content; and

110.3 The organic solvent content is complying solvent; and shall apply to those operations constructed or modified after October 2, 1974.

110.4 The volatile content . . . .

§5-1.3-112 renumbered to 5-1.3-111 and added heading to read: Exemption of water base: Rule 3 does not apply to emissions from the use of any surface coating in any operation if:

§5-1.3-113 renumbered to 5-1.3-112 and added heading: Exemption of Polyester Resin:

§5-1.3-114 renumbered to 5-1.3-113 and added heading: Exemption for Organic Diluents:

§5-1.3-301 added heading: Source Operation:

§5-1.3-301.1 renumbered to 5-1.3-302 and added heading: Drying of Products:

§5-1.3-301.2 renumbered to 5-1.3-303 and added heading: Source Operation Clean-up:

§5-1.3-302 renumbered to 5-1.3-304 and added heading: Organic Compound Emissions:

§5-1.3-303 renumbered to 5-1.3-305 and added heading: Non-complying Solvents:

§5-1.3-304 renumbered to 5-1.3-306 and added heading: Other Emissions Limitations:

§5-1.3-305 renumbered to 5-1.3-307 and added heading: Modifying Process Equipment Materials:

§5-1.3-310 added heading: Limitations on Container Size other than Industrial User:

§5-1.3-311 added heading: Limitations on Container Size Industrial User.

Rule 1.4, Organics, Storage of Organic Liquids.

§5-1.4-301 added heading: Fill pipe required:

§5-1.4-302 added heading: Vapor for gas loss requirements:

§5-1.4-303 added heading: Metallic-shoe-type seal: A closure device on a welded tank shell which uses a metallic-shoe-type seal shall meet the following conditions:

§5-1.4-304 added heading: Time for compliance of existing container:

§5-1.4-305 added heading: Time for compliance for a resiliant-toroid-type seal: A closure device which uses a resillient-toroid-type seal as its primary seal.

§5-1.4-306 added heading: Time for compliance for gaps on a metallic-shoe-type seal.

§5-1.4-307 added heading: Time for compliance for gap device subject to sections 305 and 306.

§5-1.4-308 added heading: Floating roof prohibition.

§5-1.4-309 added heading: Fixed roof:

§5-1.4-310 added heading: Vapor recovery system:

§5-1.4-311 added heading: Miscellaneous equipment:

§5-1.4-321 added heading: Gasoline storage:

§5-1.4-401 added heading: Inspection:

§5-1.4-402 to read: Tanks with secondary seals installed after August 15, 1977: The primary seal of these tanks envelope shall be made . . . . .

§5-1.4-501 to read: Records: A person . . . .

Rule 1.5 Organics, Bulk Plants.

§5-1.5-301 added heading: Discharge:

§5-1.5-302 added heading: Loading:

§5-1.5-303 added heading: Delivery of Gasoline:

§5-1.5-304 added heading: Vapor tightness:

Rule 1.6 Organics, Gasoline Dispensing Facilities and Gasoline Delivery Vehicles.

§5-1.6-201 added heading: Top Off: To attempt to dispense gasoline . . .

§5-1.6-300 to read: Standards.

§5-1.6-301 to read: Sections 5-1.6-301 through 5-1.6-307 apply to tanks used to store gasoline which is dispensed to internal combustion engine fuel tanks, and gasoline delivery vehicles, and equipment used to dispense gasoline to motor vehicle fuel tanks.

§5-1.6-302 to read: Gasoline storage tanks shall be equipped with the proper connections for a vapor recover system approved by the APCO.

§5-1.6-303 added heading: Delivery vehicles:

§5-1.6-304 added heading: Dispensing equipment:

§5-1.6-305 added heading: Delivery to stationary storage tanks. (Referred to MOP.)

§5-1.6-306 added heading: Dispensing gasoline to motor vehicles:

§5-1.6-307 added heading: Topping off prohibition:

§5-1.6-308 added heading: Maintenance:

added: §5-1.6-600 M.O.P.

Rule 1.7, Organics, Oil Water-Separators.

§5-1.7-201 added heading: Oil water separator: Any device which has as its principal purpose separation of liquid organic compounds from an oil-water waste.

§5-1.7-301 added heading: Operation requirement:

Rule 1.8, Organics, Railroad Tank Cars.

deleted §5-1.8-200 Definitions.

§5-1.8-301 added heading: Loading requirement:

Rule 1.9 - Organics, Marine Vessels.

deleted §5-1.9-200 Definitions.

§5-1.9-301 added heading: Loading requirement.

Rule 1.10, Organics, Miscellaneous Operations.

§5-1.10-110 Exemptions: The following shall be exempt from the provisions of this rule.

§§5-1.10-111, 5-1.10-112, 5-1.10-113 renumbered to 110.1, 110.2 and 110.3.

The Committee reviewed Regulation 3, Permits. There was discussion on the numbering system and the format of this regulation, the Committee agreed with the format and made the following changes:

§3-0-103 renumbered to §3-0-102 Permit Exemptions:

§3-0-104 renumbered to §3-0-103 Source or Operation Exemption.

§3-0-105 renumbered to §3-0-104 Equipment Exemption.

§3-0-410 to read: Action and Appeal applications:

§3-0-420 deleted:

§3-0-421 renumbered to §3-0-420 Fees.

§3-0-422 renumbered to §3-0-421 and to read:

§3-0-421 Annual Renewal Fee: An annual renewal fee of $20.00 for each Permit to Operate shall be paid on or before the anniversary date of the issurance of the Permit to Operate. The APCO shall notify each holder of a Permit to Operate of the anniversary date for renewal...

added the following paragraph: Failure to submit the renewal fee within 60 days after the anniversary date may result in suspension of the Permit to Operate.

§3-0-423 renumbered to §3-0-422.

§3-0-424 renumbered to §3-0-423.

§3-0-425 renumbered to §3-0-424.

§3-0-426 incorporated it in §3-0-421.

§3-0-430 to read: Permit denial for failure to meet emission limitations.

§3-0-432 renumbered to §3-0-431 and to read: Permit denial for equipment not in conformance with permit to construct.

§3-0-433 renumbered to §3-0-434 and to read: Permit denial for interference with the attainment or maintenance of ambient air quality standards:

§3-0-434 renumbered to §3-0-435 and to read: Permit Denial for more than 90 metric tons per year.

§3-0-435 renumbered to §3-0-436 and to read: Permit issuance on emission offset:

§3-0-436 renumbered to §3-0-437.

§3-0-437 renumbered to 3-0-438 and to read: Issuance for improvement by reduction of emissions:

OTHER

It was agreed that the Staff would prepare a draft of the Users Guide in conjunction with the new numbering system of the regulations and present to the Advisory Council, Executive Committee for their review.

TIME AND PLACE OF NEXT MEETING

At the call of the chair.

The meeting adjourned at 12:00 P.M.

Respectfully submitted,

Silvia Escamilla
Minutes Clerk

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University of California, Berkeley
Institute of Governmental Studies
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Nov 7, 1977

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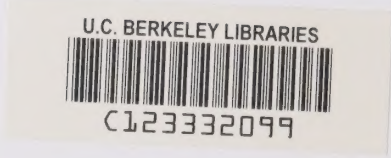

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